REMARKS / ARGUMENTS

Claims 1-9 are pending. Applicants have carefully considered the application in view of the Examiner's action and, in light of the following remarks, respectfully request reconsideration and full allowance of all pending claims.

Claims 1-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Pub. No. 2005/0009527 to Sharma (hereinafter "*Sharma*") in view U.S. Patent Pub. No. 2004/0114574 to Zeira et al. (hereinafter "*Zeira*"). In response, Applicants respectfully traverse the rejection of the claims for the reasons discussed below.

First, *Sharma* has been cited as fully disclosing Applicants' invention, except merely for the teaching that the reconfiguration command includes an activation time at which a reconfiguration is to be applied and canceling the reconfiguration procedure in response to the trigger event, for which *Zeira* was cited. *Zeira*, however, fails to either teach or suggest a trigger event which indicates that a cell update is required, as recited in independent Claims 1 and 6. Applicants' claimed invention may thus cancel a reconfiguration procedure in response to a trigger event which indicates that a cell update is required. This is a distinguishing characteristic that provides Applicant's invention with numerous advantages not seen in the cited references. For example, Applicants' invention cures a significant drawback in the prior art as noted at paragraph 7 of Applicants' specification, namely, that "if an event occurs that requires a cell update to be invoked while the reconfiguration procedure is ongoing, the current 3GPP standards do not unambiguously define a required behaviour of the user entity, so potentially leading to interoperability problems." Accordingly, in paragraph 12 of Applicant's specification, "The present invention aims to propose strategies for dealing with the interaction of a cell update procedure with a reconfiguration that has already started".

Second, *Zeira* teaches, at paragraph 513, cancelling a reconfiguration by sending a "radio link reconfiguration cancel" message. However, in clear contrast to Applicants' claimed invention, the reconfiguration of *Zeira* is not cancelled in response to a trigger event which indicates that a cell update is required.

Zeira is concerned with temporary dedicated channels (temp-DCH) used to support communications in a wireless communication system. The temp-DCH channel is a channel that is assigned to a user having a set duration. One aspect of *Zeira* relates to establishing back-to-back temp-DCH channels in a communication system. While paragraph 513 of *Zeira* discloses canceling a reconfiguration, this must be put in the context of back-to-back allocation (see, e.g., paragraphs 511-513). For example, beginning with the second sentence of paragraph 513:

> "If the CFN [connection frame number] for the activation time is greater than the CFN where the duration of the previous temp-DCH ends, then back-to-back allocation cannot be supported (since the WTRU 500 will release the old temp-DCH and there will be no new temp-DCH assigned). In this case, the S-RNC 508 will cancel the reconfiguration ..."

It is thus apparent that *Zeira* teaches canceling a new temp-DCH reconfiguration if the activation time of the new temp-DCH is subsequent to the expiration of the old temp-DCH. This is because there is a gap between the expiration of the old temp-DCH and the activation time of the new temp-DCH such that back-to-back allocation cannot be performed. Clearly, *Zeira* does <u>not</u> disclose a reconfiguration being cancelled in response to the receipt of a cell update trigger. *Zeira* further describes at paragraph 556 that

> "when a configuration or reconfiguration procedure is invoked, the new configuration must take effect at the activation time determined by the RNC RRC 504. If an activation time is not defined by the RNC RRC 472, then the reconfiguration must take effect immediately."

This allows for back-to-back reconfiguration, in contrast to the situation described at paragraph 513, outlined above.

In view of the foregoing, it is apparent that none of the cited references, either singularly or in any combination, teach, suggest, or render obvious the unique combination now recited in independent Claims 1 and 6 that a reconfiguration procedure is canceled in response to a trigger event which indicates that a cell update is required. It is therefore respectfully submitted that Claims 1 and 6 clearly and precisely distinguish over the cited combinations of references in a patentable sense, and are therefore allowable over those references and the remaining references

of record. Accordingly, it is respectfully requested that the rejection of Claims 1 and 6 under 35 U.S.C. § 103(a) as being unpatentable over *Sharma* in view of *Zeira* be withdrawn.

Claims 2-5 and 7-9 depend from and further limit independent Claims 1 and 6, in a patentable sense, and, for this reason and the reasons set forth above, are also deemed to be in condition for allowance. Accordingly, it is respectfully requested that the rejections of dependent Claims 2-5 and 7-9 be withdrawn, as well.

It is believed there is no fee required for the filing of this paper. However, if a fee should be necessary, please charge the required fee to Deposit Account No. 50-2032 of Scheef & Stone, L.L.P.

Applicant respectfully requests, for the reasons set forth herein and for other reasons clearly apparent, full allowance of Claims 1-9 so that the application may be passed to issue

Should the Examiner have any questions or desire clarification of any sort, or deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

/jds/

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